IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lan Kluwe

Application No.: 10/692,537 Confirmation No.: 9877

Filed: October 24, 2003 Art Unit: 1637

For: METHOD FOR THE DETERMINATION OF DATA FOR THE PREPARATION OF THE DIAGNOSIS OF PHAKOMATOSIS Examiner: Kim, Young J.

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Declaration Under 37 C.F.R. §1.132 of Lan Kluwe

Sir:

I, Dr. Lan Kluwe of Hamburg, Germany, hereby declare as follows:

1. I am currently employed by the Laboratory for Tumor Biology and Developmental Disorders, Department of Maxillofacial Surgery, of the University Hospital Eppendorf as Laboratory Head. I have been working and studying in the area of phakomatoses since 1993. I received my doctorate degree in Molecular Biology in 1990. A copy of my resume is attached.

2. I am the inventor on the patent application identified above. I have read an Office Action dated April 17, 2007 relating to this application. I understand that the Examiner is of the view that at the June 27, 2000 filing date of this application, it would have been obvious to determine if an offspring of a patient suffering from a phakomatosis tumor suppressor gene disease is at risk of developing the disease using the method as claimed in my patent application.

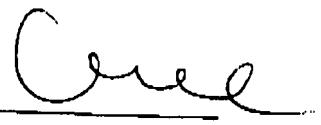
3. As of the June 27, 2000 original filing date of this application, even though loss of heterozygosity determinations generally were known, I am not aware that anyone was using this method to determine the risk for offspring. In fact, to my knowledge, at the time my application was filed this testing was done by mutation analysis and occasionally by linkage analysis. Linkage analysis, however, can only be applied to families with at least two affected individuals.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United

States Code and that willful false statements may jeopardize the validity of this Application for Patent or any patent issuing thereon.

Lan Kluwe, Ph.D.

Dated: Oct. 15, 2007

Signature: 

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EDUCATION:

09.1979 - 02.1980	Undergraduate school at the Dept. of Psychology, Beijing University, Beijing, China.
04.1981-02.1985	Undergraduate school at the Dept. of Biology, Tohoku University, Sendai, Japan. **Bachelor** of Biology
04.1985-03.1990	Graduate school at the Dept of Molecular Biology, Nagoya University, Nagoya, Japan. **Ph.D.**

OCCUPATION:

06.1990-04.1993	Post Doc at European Molecular Biology Laboratory, Outstation Hamburg at Deutsche Synchrotron.
05.1993-06.1993	Invited researcher at the Dept of Biochemistry, Birmingham University, Birmingham, England
07.1993-present	Director, Laboratory for phacomartosis and malformation, Department of Maxillofacial Surgery, University Hospital Eppendorf, Hamburg, Germany.
10.2006-present	Invited senior researcher and project leader in the Neurogenetic Center, Massachusetts General Hospital, Boston, US

PUBLICATIONS (see detailed list)

First author:	23 (in Mol Hum Genet, Hum Mutat, J Med Genet, FEBS Lett, J Bacteriol, ect.)
Last author:	6
Co-autor:	38

Publikationen

First author

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